

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

EUGENE F DRAKE

2008 JUN 30 PM 1:20

DIV OF WATER RIGHTS  
SACRAMENTO

S000030

2005, 2006, 2007

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

EUGENE F DRAKE

1845 BIGLOW RD

RIVERSIDE, CA 92506

Agent:

Address:

Phone No. 209-267-5491

Fax No.

E-mail Address:

Phone No.

Fax No.

E-mail Address:

Source Name: SUTTER CREEK

Tributary To:

County: Amador

Diversion within: NE 1/4 of NE 1/4 Section 8, T 6 N, R 11 E, MDB&M

Year of First Use: 1962

Name of Diversion works:

Assessor Parcel Number  
of the Diversion site:

DIV OF WATER RIGHTS  
SACRAMENTO

STATE WATER RESOURCES  
CONTROL BOARD

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 claim ☐ Court Decree No.:  Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) 1963

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:

Gallons per minute (gpm)  Gallons per day (gpd)  Cubic feet per second (cfs)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005													
2006													
2007													

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:

Gallons  Million Gallons (MG)  Acre-feet (AF)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005					X	X	X	X	X	X			1.5 AF
2006					X	X	X	X	X	X			1.5 AF
2007					X	X	X	X	X	X			1.5 AF

E. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 1/2 Acres acres; Stockwatering Not Now; Domestic   
Other (specify)

Parcel Number(s) of Place of Use: 040-080-005-000

F. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.

(New pump, enlarged diversion dam, location of diversion, etc.)

New Pump installed - 2007

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒  
Describe any water conservation efforts you have initiated:

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year  (AF/MG) Year  (AF/MG) Year  (AF/MG)

EWRTMS/lem  
7/9/09

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO ☒

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO ☒
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO ☒
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
- Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)
- I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 23, 2008 at Riverside, California

SIGNATURE: Eugene F. Drake

PRINTED NAME: Eugene F. Drake  
(first name) (middle initial) (last name)

COMPANY NAME: \_\_\_\_\_

ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.**

**OWNER OF RECORD:** EUNICE E DRAKE

EUNICE E DRAKE  
519 ARLENE DR  
VACAVILLE, CA 95688

**SOURCE:** SUTTER CREEK  
**TRIBUTARY TO:** DRY CREEK  
**COUNTY:** AMADOR  
**DIVERSION**

**WITHIN:** NE¼ OF NE¼ SECTION 8, T6N, R11E, MB&M.

A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993					5,000	10,000	20,000						35,000
1994					5,000	10,000	20,000						35,000
1995					5,000	10,000	20,000						35,000

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation ☒ acres; Stockwatering 2-3 cows; Domestic No  
Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
\_\_\_\_\_

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 23, 1996, at Riverside, California

SIGNATURE: Eugene F Drake

PRINTED NAME: Eugene (FIRST NAME) Floyd (M. NAME) Drake (LAST NAME)

COMPANY NAME: None

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

**\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\***

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

**STATEMENT NO:** S000030  
**OWNER OF RECORD:** EUNICE E DRAKE

EUNICE E DRAKE  
519 ARLENE DR  
VACAVILLE, CA 95688

1995 MAY 24 PM 1:42  
 DIV. OF WATER RIGHTS  
 SACRAMENTO

**SOURCE:** SUTTER CREEK  
**TRIBUTARY TO:** DRY CREEK  
**COUNTY:** AMADOR  
**DIVERSION**

**WITHIN:** NE¼ OF NE¼ SECTION 8, T6N, R11E, MDB&M.

**TELEPHONE NUMBER:**

(209) 267-5491

**YEAR OF FIRST USE:** 1962

**PARCEL NO:**

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995**

A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	X	X	X	X	X	X	Dry	Dry	Dry	Dry	X	X	
1993	X	X	X	X	X	X	X	Dry	Dry	Dry	X	X	
1994	X	X	X	X	X	X	Dry	Dry	Dry	Dry	X	X	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2-3 acres acres; Stockwatering 12 head of cattle Domestic none

Other (specify) Fire protection

**\*\*\* CONTINUE ON BACK PAGE \*\*\***

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

All  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

All water used from the creek is contaminated  
and unfit for domestic use.  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: May 20, 1995, at Vacaville, California

SIGNATURE: Barbara DeBruler - daughter of Eunice Drake + Joint Tenant

PRINTED NAME: Barbara Drake DeBruler  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: \_\_\_\_\_

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. 5000030

DIVERSION SITE:

OWNER'S NAME Eunice E Drake  
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 40-080-005 + 40-080-006

PLACE OF USE:

OWNER'S NAME Eunice E Drake  
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 40-080-005

2. PARCEL NO. 40-080-006

3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER owner-joint tenant

NAME Barbara Eunice E Drake  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 519 Arlene Dr.  
Vacaville CA 95688  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (707) 448 - 5944

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 000030

EUNICE E DRAKE  
P O BOX 25  
SUTTER CREEK, CA 95685

TELEPHONE NUMBER:  
(209) 267-5491

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: SUTTER CREEK

TRIBUTARY TO: DRY CREEK

COUNTY: AMADOR

DIVERSION

WITHIN: NE1/4 OF NE1/4 SECTION 08, T06N, R11E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1993. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1990	X	X	X	X	X	X	Dry	Dry	Dry	Dry	Dry	1/2 Dry	
1991	X	X	X	X	X	X	1/2 Dry	Dry	Dry	Dry	Dry		
1992	X	X	X	X	X	X	Dry	Dry	Dry	Dry	Dry	X	

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_

Stockwatering 3 head cattle

Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Too many dams on springs and small tributaries,  
no water left for us down stream.

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: Apr. 16, 19 93, at Sutter Creek, Ca., California

Signature: Eunice E. Drake

Stmt  
30

519 Arlene Dr.  
Vacaville, CA 95688  
5/19/94

State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2090  
Sacramento, CA 95812

Dear Sir:

Please send future correspondence  
for Eunice Drake to:

519 Arlene Dr  
Vacaville, CA 95688

Sincerely,

Barbara DeBruler  
Daughter of Eunice Drake

KSN ✓



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA  
(916) 322-4503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1990 MAY 17 PM 3:21

DIVERTER OF RECORD:

Eunice E.  
FRANCES E DRAKE  
P O BOX 25  
SUTTER CREEK, CA 95685

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 000030

TELEPHONE NUMBER:  
(209) 267-5491

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: SUTTER CREEK

TRIBUTARY TO: DRY CREEK

COUNTY: AMADOR

DIVERSION

WITHIN: NE1/4 OF NE1/4 SECTION 08, T06N, R11E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1987	X	X	X	X	X	Dry	Dry	Dry	Dry	Dry	Nov 14	X	
1988	X	X	X	X	X	X	Dry	Dry	Dry	Dry	11/23	X	
1989	X	X	X	X	X	X	Dry	Dry	Dry	10/24	X	X	

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2-3 Acres of land for pasture + garden

Stockwatering 3 Head of Cattle

Domestic Contaminated - unfit for Domestic Use

Other (specify) Fire Protection

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: May 11, 19 90, at Sutter Creek, California

Signature: Eunice E. Drake MAY 8 1990 KSM

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

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STATEMENT OF WATER DIVERSION AND USE

This statement should be prepared by the person diverting water or by a duly authorized agent.

- A. Name of person diverting water Francis C. Drake  
Address P. O. Box 18, Sutter Creek, California
- B. Name of body of water at point of diversion Sutter Creek  
Tributary to Dry Creek
- C. Place of diversion NE 1/4 NE 1/4 Section 10, Township 11 N, Range 11 E, Merced County, California  
Arader  
prominent local landmarks Arader
- D. Name of works Arader
- E. Capacity of diversion works Arader  
Capacity of storage reservoir Arader  
State quantity of water used each month in gallons or acre-feet  
Year Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec.  
1965 Arader Arader Arader Arader Arader Arader Arader Arader Arader Arader Arader Arader
- If monthly and annual use are not known, check months in which water was used. State amount of use in water, acre-feet, or acres of each crop irrigated, average number of persons served, number of stock watered, etc. Irrigation of Garden and yard and pasture - 2 acres. Drinking water 2 head of cattle  
Maximum annual water use in recent years All 1965 in 02 and 03  
Minimum annual water use in recent years Not enough in 02, 03, and 04. Crops went dry  
Type of diversion facility: gravity Arader, pump Arader  
Method of measurement: weir Arader, flow Arader, discharge meter Arader
- F. Purpose of use (what water is being used for) Irrigation of 2 acres for 2 head of stock
- G. General description or location of place of use (the check of number, and an amount of water used) One mile east of town of Sutter Creek in Merced County
- H. Year of first use as nearly as known 1962
- I. Name of person filing statement Francis C. Drake  
Position Arader  
Address P. O. Box 18, Sutter Creek, California

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed Nov. 7, 1966

See Instructions on Reverse Side